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FIRST NAMED INVENTOR ATTORNEY DOCKET NO. APPLICATION NO. FILING DATE CONFIRMATION NO. 08/19/2003 10/644,657 Frank Benincasa 1330-002-2 5446 EXAMINER 33461 12/29/2004 7590 SULLIVAN LAW GROUP NGUYEN, CHI Q 1850 NORTH CENTRAL AVENUE ART UNIT PAPER NUMBER **SUITE 1140** PHOENIX, AZ 85004 3635

DATE MAILED: 12/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Notice of Abandonment	Application No.	Applicant(s)		
	10/644,657	BENINCASA E	BENINCASA ET AL.	
	Examiner	Art Unit	1.1.1	
	Chi Q Nguyen	3635	IW	
The MAILING DATE of this communication appears on the cover sheet with the correspondence address				
This application is abandoned in view of:				
Applicant's failure to timely file a proper reply to the Office letter mailed on <u>01 June 2004</u> . (a) A reply was received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply (including a total extension of time of month(s)) which expired on				
(b) A proposed reply was received on, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.				
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).				
(c) A reply was received on but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).				
(d) ⊠ No reply has been received.				
 2. Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85). (a) The issue fee and publication fee, if applicable, was received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85). 				
(b) ☐ The submitted fee of \$ is insufficient. A balance	e of \$ is due.			
The issue fee required by 37 CFR 1.18 is \$ The publication fee, if required by 37 CFR 1.18(d), is \$				
(c) ☐ The issue fee and publication fee, if applicable, has not been received.				
3. Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37). (a) Proposed corrected drawings were received on (with a Certificate of Mailing or Transmission dated), which is				
after the expiration of the period for reply.				
(b) ☐ No corrected drawings have been received.				
4. The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.				
5. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.				
6. The decision by the Board of Patent Appeals and Interference rendered on and because the period for seeking court review of the decision has expired and there are no allowed claims.				
7. The reason(s) below:				
No paper has been filed.				
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(3.0/				
Can 12/27/04				
1967/01				
Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.				
U.S. Patent and Trademark Office PTOL-1432 (Rev. 04-01) Notice	of Abandonment	F	Part of Paper No. 2	